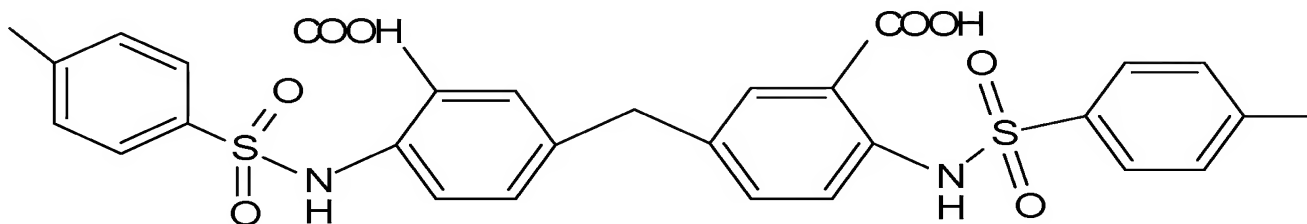


### **REMARKS/ARGUMENTS**

The Claims in the case are 20-23, newly added. Claim 20 corresponds mainly to a combination of Claim 1 and 2, with the substituent definitions taken primarily from the listing of preferred compounds at p. 12, lines 6-24, as well as the dependent claims 12-15. The elected invention is within the newly added claims; it is specifically claimed in newly added Claims 22 and 23. Claim 21 is the composition claim corresponding to Claim 11 or Claim 19.

The courtesy of the Examiner in indicating allowable subject matter, i.e., the elected species and the subject matter of Claims 13 and 14 is appreciated. However, the Examiner is in error in her interpretation of the claims and the consequent withdrawal of Claims 6-7 and 15-16 as non-readable on the elected species, which has, as the Examiner correctly described in the Office action, the structure



Referring to the generic structure in Claim 1, and specifically in reference to the elected compound, going from right to left, in the above structure: A is aryl (phenyl),  $R^2$  is alkyl (methyl); n is 1; "Y" is an  $SO_2$  group;  $R^4$  is hydrogen;  $R^3$  is hydroxy; "X" is alkanediyl (methylene); the 3<sup>rd</sup> phenyl ring is within the structure of formula II; m is 2, and therefore there are two  $R^6$  substituents; one of the  $R^6$ s is  $R^7-C(=O)-$ ; and the other  $R^6$  is  $R^8-S(=O)_2-NH-$ , and  $R^8$  is aryl (phenyl).  $R^8$  is further defined in Claim 15, although not in Claim 1, as encompassing, aryl (phenyl) substituted with alkyl (methyl). Unfortunately, the comma between the chloro and the alkyl in Claim 15 is missing, although its omission is clearly a typographic error. Compare Claim 15 with the specification, the preferred group of subgeneric structures listed at p. 12, line 5-23 of the specification, from which the newly added Claim 20 is supported, and it is clear that  $R^8$  is defined as aryl substituted with alkyl, "wherein said substituents on the aryl radical are located at meta or para positions, respective from the point of attachment of said

aryl group". There is a comma separating the words "chloro" and "alkyl" at p. 12, line 20.

Putting it another way, hopefully to clarify further, the R6 group is actually the two (m=2) substituents on the phenyl ring attached to the X (methylene) group. The carboxyl group on this ring is one of the "m" substituents, " $R^7-C(=O)-$ ",  $R^7$  being hydroxyl or alkyloxy, and the second "m" substituent is the R6 moiety, which includes the " $R^8-S(=O)_2-NH-$ , or  $R^8-C(=O)-NH-$ " side chains.

When  $R^1$  is Formula II, the compounds are the dimer form, one of which is the elected species. The elected compound is the "dimer" form and therefore has four phenyl rings rather than the monomer form, which was not elected. Another way of saying this is that the elected species encompasses compounds in which  $R^1$  has to be Formula II. Claims 1, 2, 3, 4, 5, 6, 8, 12, 14, 15 and 17 all cover the elected invention. Claims 7, 13 and 16 do not cover the elected invention, and should correctly be withdrawn. Of course, the method claims 10 and 18 are properly withdrawn as non-elected. Reconsideration and correction of the restriction requirement is respectfully requested.

The art applied to the rejections of the claims under Sections 102 and 103, Milton, Bender, and Connor, does not apply to the newly added claims. All of these references relate to smaller compounds rather than the chain of four aryl groups defined within the scope of Claim 20 and dependent claims. Accordingly, reconsideration and withdrawal of the rejections, insofar as they could be applied against Claims 20-23, is respectfully requested.

### **CONCLUSION**

Reconsideration of the rejection in view of the amendments and arguments above is respectfully requested. Notice of allowance is respectfully requested.

Respectfully submitted,  
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